



**IT IS ORDERED as set forth below:**

**Date: January 20, 2015**

*Mary Grace Diehl*

Mary Grace Diehl  
U.S. Bankruptcy Court Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:

**FRANTISEK FRANCAK,**  
Debtor.

**FRANTISEK FRANCAK,**  
Movant,

v.  
**SUNTRUST BANK,**  
Respondent.

Case No. **13-54741** - MGD

Chapter 13 Proceeding

Contested Matter

**ORDER GRANTING DEBTOR'S MOTION TO VACATE ORDER GRANTING  
RELIEF FROM THE AUTOMATIC STAY**

This matter came before the court on January 7, 2015 at 10:00 a.m., for hearing on Debtors' Motion to Vacate Order Granting Relief from the Automatic Stay (hereinafter "the Motion") that was filed in the above-styled Chapter 13 case on December 23, 2014. The Motion, which Debtor's counsel contends was served on all interested parties, requests that this court vacate its order, entered on August 28, 2014, which modified the automatic stay of

11 U.S.C. § 362 to the extent necessary for SunTrust Bank to commence foreclosure proceedings against real property commonly known as 1330 Boundary Boulevard, Suwannee, GA 30024. At the call of the calendar there was no opposition to Debtor's Motion, therefore, it is hereby

**ORDERED** that the Debtor's Motion to Vacate Order Granting Relief from the Automatic Stay is hereby GRANTED. The Order entered on August 28, 2014 is hereby VACATED. It is further

**ORDERED** that the stay under 11 U.S.C. Section 362 is hereby re-imposed as to SunTrust Bank. It is further

**ORDERED** that debtor shall remit \$7,890.79 via certified funds within ten (10) days of entry of this Order for post-petition mortgage payments that have come due through and including January 1, 2015. It is further

**ORDERED** that the Office of the Clerk shall serve a copy of this Order on all parties on the attached distribution list.

[END OF DOCUMENT]

**Prepared by:**

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**No opposition by:**

/s/ K. Edward Safir with express permission  
K. Edward Safir, attorney for the  
Chapter 13 Trustee, Mary Ida Townson  
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**Distribution list:**

The Carson Firm  
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Chapter 13 Trustee  
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SunTrust, N.A.  
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